

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KENNETH D. ROGERS,

Plaintiff,

v.

CHIEF MERL HAMILTON,  
OFFICER Q. WITHERSPOON, and  
SIX UNKNOWN DEFENDANTS,

Defendants.

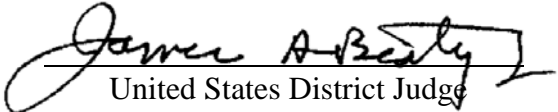
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ORDER AND JUDGMENT

For the reasons discussed in the Memorandum Opinion filed contemporaneously herewith, Defendants' First Motion to Dismiss [Document #13] is GRANTED, and this case is DISMISSED WITH PREJUDICE. Defendants' subsequent Motion to Dismiss [Document #18] and Motion for Summary Judgment [Document #22] are therefore MOOT.

This, the 2<sup>nd</sup> day of December, 2005.

  
United States District Judge